

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

| | | |
|-----------------------|---|--------------------------------|
| BRO. T. HESED-EL, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 1:21-cv-00305 |
| |) | |
| v. |) | FILED |
| |) | Asheville, NC |
| ROBIN BRYSON, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| | | Clerk, US District Court |
| | | Western District of NC |

**PLAINTIFF'S RESPONSE IN OPPOSITION TO
DEFENDANTS' MOTION TO TAKE JUDICIAL NOTICE**

On January 27, 2022, Defendants Robin Bryson, Mission Hospital, Inc., and ANC Healthcare Inc. (“Defendants”) filed a motion in support of their motion to dismiss asking the Court to take judicial notice of thirteen alleged facts (“JN motion”). As explained below, Defendants’ JN motion should be denied in part as to the disputed alleged facts or the entire motion should be denied as moot. Plaintiff respectfully shows unto the Court as follows:

1. Taqi Elaga Bey, Taqi Lel Agabey, or Taqi El Agabey is not Plaintiff’s legal name.
 - a. The Moorish placards shown in Exhibit 1 do not appear to have been issued by any recognized foreign government nor by any of the recognized governments of the several states of the United States of America. As such, those works of art are likely unacceptable as real identification cards. Exhibit 1 is subject to a reasonable dispute.
 - b. With respect to Exhibit 2, similar to the artwork shown in Exhibit 1, that document is not a court-issued name change document. For the record, *Taqi El Agabey* is the name of Plaintiff’s private family trust (TAQI EL AGABEY TRUST).
2. As for **Exhibit 3**, *Taqi Elaga-Bey* is a national “title”; and it is an erroneous identifier.

3. No dispute. **Exhibit 4** was an attempt to correct Plaintiff's past errors, hence the public apology to the courts. On January 30, 2017, Plaintiff filed for the record his intent to be publicly known according to his legal name confirmed in a Georgia court on May 20, 2015 (middle names omitted). This was done to eliminate any further confusion. *See Exhibit P1.*

a. "Taqi El" is the first and last name displayed on Plaintiff's commercial instruments.

Plaintiff later abbreviated his first name to "T."; and hyphenated "Hesed-El".

4. No dispute. **Exhibit 5** displays Plaintiff's legal name, T. Hesed-El. As explained in Plaintiff's amended complaint, "Plaintiff's [first and second] middle names, "████████" and "████████", are not necessary for identification purposes nor relevant to this action. Bro. T. Hesed-El is Plaintiff's real name. It is not a pseudonym." (Doc. 14).¹

5. No dispute. As part of his transition from commercialism to living under religious law (as noted in Defendants' Exhibit 4), and in line with his declaration of faith, Plaintiff was instructed by his religious leader to abbreviate his first name and hyphenate his last name.²

a. On May 20, 2015, Plaintiff, formerly known by the United States of America as STEPHEN ANTHONY LEE, legally changed his name. *See Exhibit P1.*

6. *See response #5 above; see also Exhibit P1.*

7. *See response #5 above; see also Exhibit P1.*

¹ Chesed (Hebrew: חֶסֶד, also Romanized hesed) is a Hebrew word that means kindness or love between people, specifically of the devotional piety of people towards God-Allah as well as of love or mercy of God-Allah towards humanity. In Kabbalah, HESED is the dualistic nature of GEVURAH. Gevurah is understood as God-Allah's mode of punishing the wicked and judging humanity in general. It is the foundation of stringency, absolute adherence to the letter of the law, and strict meting out of justice.

² Hyphenating "Hesed-El" indicates that Plaintiff is honoring his ancestors. Honoring one's father and mother is a religious expression in Judaism, Christianity, and Islam. This is how true Moorish Americans are recognized by the government in which they live and the nations of the earth. This is a Divine Right that we have, a requirement for all Moorish American Moslems.

8. *See response #5 above; see also Exhibit P1.*

9. **Exhibit 12** referenced in JN request #9 is subject to a reasonable dispute. An affidavit purporting to renounce citizenship is not effective under 8 U.S.C. § 1481. *See Duncan v. U.S. Department of State*, Civil Action No. 7:08-cv-00564 (W.D. Va. Oct. 30, 2008).

10. *See response #5 above; see also Exhibit P1.*

11. *See response #5 above; see also Exhibit P1.*

12. *See response #5 above; see also Exhibit P1.*

13. *See response #5 above; see also Exhibit P1.*

ARGUMENT

Plaintiff's identity is a matter of public record. Any questions concerning his legal name or identity were resolved by an Order of Magistrate Judge W. Carleton Metcalf on October 9, 2020.³ The Court "will take Plaintiff at his word that he is proceeding under his legal name." (Case No. 119-CV-285, Doc. 63, p. 15, ¶ 2). Exhibit P1 clearly demonstrates that Plaintiff is prosecuting this action under his legal name, T. Hesed-El, and has been consistent in doing so as part of his religious expression since the year 2017.

Most of Defendants' requests for judicial notice actually reiterate what several United States District Court and Appellate Court judges have already acknowledged - that Plaintiff's legal name is Brother T. Hesed-El, formerly known as STEPHEN ANTHONY LEE. The other alleged facts of Defendants' JN motion are subject to a reasonable dispute and therefore must be denied. Any past alleged use of a pseudonym has no bearing on this action. Plaintiff is the real party in interest prosecuting under his legal name. Arguments to the contrary should be rejected.

³ Notably, similar to Plaintiff, Magistrate Judge W. Carleton Metcalf identifies himself using a first letter initial as his first name, followed by his middle name and last name. An abbreviated first name is not a fictitious name.

To the extent Defendants' JN motion requests # 1-13 are intended to establish that Brother T. Hesed-El is not Plaintiff's legal name, that he has been untruthful in this proceeding by following the path that Allah ordained for him, or that he willfully disobeyed an order of the Court by prosecuting under his legal name, Defendants' JN motion requests #1-13 should be denied.

CONCLUSION

Plaintiff's legal name has already been acknowledged by this court and therefore Defendants' motion should be denied as moot. Defendants' disputed requests should be denied.

Respectfully,

This 26th day of Rajab in the year 1443 A.


Bro T. Hesed-El, Plaintiff pro se

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Authorized Agent

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FOR THE WESTERN DISTRICT OF NORTH CAROLINA

BRO. T. HESED-EL,)
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Plaintiff,) Civil Action No. 1:21-cv-00305
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v.)
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ROBIN BRYSON, et al.,)
)
Defendants.)

CERTIFICATE OF SERVICE

This is to certify that Plaintiff's response in opposition to Defendants' motion to take judicial notice has been electronically served upon the defendants, by attachment to an email, to ensure delivery to:

Robin Bryson, Mission Hospital Inc., and ANC Healthcare Inc.
% Attorney Richard S. Daniels
Patla, Straus, Robinson & Moore, P.A.
Post Office Box 7625
Asheville, North Carolina 28802
rsd@psrmlaw.com

This 27th day of February 2022 A.D.



Bro. T. Hesed-El, Plaintiff pro se

Filing Agent's Wet Ink Signature:

Authorized Agent